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MAJOR Gagarin's trip into space was quite certainly a calculated gamble. Five of the four-and-a-half-ton capsules have been tested in the past year, but the recovery mechanism failed in two cases. Two dogs and a mummy man were incinerated on re-entry into the earth's atmosphere. In any normal, earthbound enterprise, the life of a man would not be risked without several more tests. But political rivalry between Russia and America has become the driving force of the space race. America is on the verge of launching a man in a Redstone rocket for a brief flight down range from Cape Canaveral. This is far less spectacular than putting a man in orbit, but it would have taken the full glitter from the Russian achievement, if it had come first.

The Russians are now reaping the full political and propaganda rewards, which, especially in less sophisticated parts of the world, are considerable. Even in the technically advanced West, though, the Russian feat has been rightly hailed as a magnificent achievement of applied science. It is true that the Russians started building large rockets with the initial help of German rocket experts, immediately after the end of the last war (while the Americans made a much later start). The Russians set their sights, from the beginning, on giant launchers, and the Gagarin was boosted into space by a rocket with 17 years of development behind it. However, the sheer organization of a project of this size calls for great administrative and technical competence. One of the most striking things about the Soviet space exploits is that they show there must be some administrators of genius in Russia. It may well be that a very high proportion of the most able men have been involved in the space programmes, while the cultural programme, and simple things like distribution of consumer goods, have languished in muddle.

Few people believe that putting men into space has any military significance. They are far more useful employed on earth, where it is less difficult to keep them alive. Thus it seems certain that the Russian space programme will continue to be carefully planned as an instrument of political and propaganda warfare. There would seem to be little point in further flight of one man for one day into the earth. Animal passengers will do as well for further testing of the equipment. However, we may look forward to longer orbits of several hours or even days, and to trips by two or three men. The present Russian launching rockets appear to be capable of putting at least two men into orbit.

After that, the next really spectacular feat of manned flight will be a trip round the moon—following in the space steps of Lunik III, which photographed the moon's hidden surface in October 1959. Within the next two years, moreover, there is every chance that the Russians will try to land scientific instruments on the moon. Some of their writers and scientists have already discussed a small tank-like robot which would crawl like beetles over the moon's bleak surface, probing and photographing, and transmitting lunar close-ups to earth. For the scientists, this would be much more informative than an orbiting man, since the moon is the most accessible and at the same time among the most mysterious of cosmic puzzles.

Despite the pronouncements of some eminent men, Major Gagarin's flight will not add very greatly to scientific knowledge in any strict sense. It proves that man can withstand the combination of great stress at blast-off, prolonged weightlessness, a weird cramped environment, and the shocks of re-entry, without cracking physically or mentally. But this does no more than confirm what biologists have confidently predicted on the basis of earthbound experiments. It is possible to seal the technical triumph and the human courage and yet remember that the driving force behind the whole exploit is first and foremost, a cold-blooded calculation to prove political.

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SIX PAGES
TODAY
Eighth page on "Eichmann's coming up of the right to try Eichmann"
EIGHT PAGES ON
WEDNESDAY
New feature on "Eichmann's coming up of the right to try Eichmann"
NINE PAGES ON FRIDAY
Israel's Week in review and local news features.

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Castro Blames US For Cuba 'Pearl Harbour'

HAVANA.—Premier Castro yesterday blamed President Kennedy and the U.S. Government for the dawn air raids on three Cuban cities that left eight dead and 50 wounded Saturday. He termed it "Cuba's Pearl Harbour."

Dr. Castro spoke at a military funeral and massive demonstration to honour seven victims of the attacking planes' bombs and rockets in Havana. An eighth victim died of injuries later but he was to be buried separately.

The planes also hit Santiago, Cuba's second largest city, and San Antonio de los Baños, site of Cuba's Air Force Headquarters.

Standing bareheaded in the torrid Havana heat and surrounded by heavily-armed bodyguards, Dr. Castro cried: "If the attack on Pearl Harbour is considered by the American people as a criminal, traitorous cowardly act, then our people have a right to consider this act twice as criminal, twice as cunning, twice as traitorous and a thousand times as cowardly."

His remarks drew the usual chorus of anti-American shouts from the crowd.

Accounts published in the government-controlled press yesterday omitted the story told by the fliers after landing in Florida. The fliers identified themselves as defectors, said they staged the raids in Cuban air force planes and then fled.

'Criminal' Raid
The newspaper "El Mundo" called the raids "criminal and heinous air raids perpetrated by imperialists with airplanes that came from the north and manned by mercenaries and refugees from Cuban revolutionary justice."

The Communist Party organ "Hoy" echoed this charge and published a front-page picture of a wounded child and its weeping mother. Caskets containing the seven dead were carried from Havana University for the long march through the city to the cemetery. All this time the radio and television networks kept telling the Cuban people the dead and wounded were "victims of the Yankee imperialists."

The radio and television dropped references to the general mobilization ordered Saturday, and newspapers did not mention it, but preparations continued quietly to defend Cuba against internal sabotage and external invasion. The militia and the armed forces have been on the alert for two weeks, and thousands of troops have been deployed in the provinces.

Anti-aircraft guns from Czechoslovakia were positioned in many parts of the capital. Guns there put top tall apartment buildings into the line of fire.

Ruling Today On Competence Of Eichmann Court

Jerusalem Post Reporter

The Court trying Adolf Eichmann is to hand down its decision at 9 o'clock this morning on its competence to proceed with the trial.

In the event of an affirmative ruling, Eichmann will be required to enter his plea of "guilty" or "not guilty." The court is not expected to issue its reasoned decision until a later date.

Even should he plead guilty, the trial will continue since Section IV of the Courts (Offences Punishable by Death) Law—1951, provides that if "the accused pleads guilty in answer to the information, the court may continue the proceedings as if the accused had not pleaded guilty."

After Eichmann makes his plea, the Attorney-General Mr. Gideon Hausner, will begin his opening speech which is 40,000-50,000 words long. It will not only relate the specific charges against Eichmann, and his office, IV B4 of the Gestapo, but will also outline the Nazi Party's rise to power and its role in Germany.

Mr. Hausner is not expected to finish his speech today.

Other Possibility
The possibility exists that the court may decide that it has no competence to continue the trial on any one of the grounds put forward by Dr. Robert Servatius, Eichmann's defence counsel. If the sole reason is the claim that Eichmann was abducted, then the court may call as witnesses, Mr. Zvi Tobar and Mr. Yehuda Shimon. Mr. Tobar was the El Al Pilot who flew the plane which brought Eichmann to Israel. Mr. Shimon was El Al's chief of operations who preceded the plane to the Argentine to arrange for landing and departure rights. Both were instructed by the court last week to hold themselves on a three hour alert, starting this morning.

The large newsworld in Beit Ham was virtually deserted yesterday. For many of the correspondents from abroad it was "Sunday," a day of rest.

Kol Yisrael today will broadcast the trial direct from Beit Ham courthouse, beginning at 8.35 a.m. until 11 a.m. The trial will be broadcast at 3.25 p.m. The 5 p.m. newscast will be given only over the second programme.

NATIONAL ELECTIONS IN POLAND
WARSAW (Reuters).—Polling began early yesterday in Poland as the nation's national elections. The elections are the first since 1957, when the Communist Party leader, Mr. Wladyslaw Gomulka, got what was generally interpreted as a mandate from the nation following his defeat of the Stalinists.

Mengele May Still Be in Paraguay
ASUNCION (Reuters).—Josef Mengele, medical officer of the Nazi concentration camp at Auschwitz, came here as a tourist 2½ years ago and may still be in Paraguay, informed sources say.

The German doctor is being sought in Argentina, Brazil and Paraguay as a declared war criminal. West Germany has asked for his extradition from Argentina, but he was reported last year to have fled from that country.

New Apartment for Gagarin
MOSCOW (Reuters).—Major Yuri Gagarin, relaxing yesterday after four hectic days as World Hero No. 1, will shortly be moving with his family into a new four-roomed flat in one of the best parts of Moscow, it is understood.

Such a flat in the capital's Kuznetsky Prospekt, which houses Moscow's biggest Western colony, is the dream of many Muscovites—and probably of the Gagarin family. Yuri, his wife Valentina, and their two small daughters Elena and Galyna. They have been living in the little rural town of Gzhatsk, about 300 kms. west of Moscow, where the world's first cosmonaut was born and his parents, a carpenter and his wife, still live.

Now, nothing is too good for the good-looking former Mig-pilot.

He has been feted, hugged and kissed by Mr. Khrushchev, hung with medals and orders, applauded at the red granite Lenin-Stalin mausoleum in Red Square, and quizzed and cheered by the world's press.

The Moscow press is still blanketed with letters and telegrams from workers, farmers, students and children hailing the hero.

The press is also full of pictures of him and his rocket, and articles about spacemen's training and the possibilities of space travel.

One photograph shows the nose of the spaceship pushing out through dense fumes as it leaves the launching site. In some newspapers this has obviously been touched up.

No firm details have been given about the precise method of his landing, though there are interviews with those who saw him first on his return describing him landing with a red and a white parachute.



Yisrael Beer (right) escorted by a police officer to the Tel Aviv Magistrate's Court on Friday to be remanded as a spy suspect. (See Story Page 3)

Souvanna in Moscow, Seeks 'Definite Solution' on Laos

MOSCOW (AP).—Prince Souvanna Phouma, ex-Premier of Laos, yesterday thanked the Soviet Union for its "unrestricted aid" to his Government and said he had come to Moscow to seek "a definite solution of the problems of Laos."

The neutralist prince, considered by the Kremlin to be the legal Premier of Laos and by the West merely as a former government chief, was met by First Deputy Premier Alexei Kosygin and other dignitaries. There were no Americans at the airport although the British, French, Canadian, Indian, Polish, Chinese and many other ambassadors turned out.

The Prince is on a trip around the world trying to gain support for a peaceful solution of the Laotian civil war. From Moscow, he is scheduled to go to Washington after only a very brief stopover here.

Secondary Role
In his speech of welcome, Mr. Kosygin seemed to relegate the Laotian problem to a secondary role and stressed: "You arrive at a very opportune time when the genius of the Soviet people has produced the first manned flight in space. Peace is the whole aim of the world's peoples and that is why your policy of collaboration receives the support of the Soviet Union."

British-Soviet talks in achieving a cease-fire in Laos have been at a complete standstill for 10 days. The talks are being held here, the Llewellyn Thompson, conferred recently with Foreign Minister Andrei Gromyko and it is understood that new Soviet suggestions will be forthcoming in the next few days.

South Vietnam Moves to Block Communists
SAIGON (Reuters).—President Ngo Dinh Diem, 60, the pro-Western leader of South Vietnam, is waging a major struggle to preserve his rich republic from Communist infiltration.

The President, whose party had a sweeping victory in the recent national elections, has just announced that "super ministries" will be set up to co-ordinate security, economics and social affairs.

Three key sectors in the struggle against Communism. The Communists have called in a manifesto for the overthrow of the Ngo Government. They have been operating vigorously for at least 18 months, and while President Ngo's Government has full control in the towns, Communists and other dissidents, with an estimated 9,000 men under arms, wield great influence in the country.

New Pressure On Belgium To Quit Congo

UNITED NATIONS (Reuters).—Belgium yesterday faced renewed pressure to withdraw her troops and political advisers from the Congo, following a General Assembly decision that their presence was a "central factor" in the State's continuing crisis.

All foreign soldiers of fortune were under similar Assembly orders to get out, but in a six-hour marathon Saturday night session the Assembly rejected a move to set a "central factor" limit for complete withdrawal.

A key phrase proposing such a deadline in an Afro-Asian resolution calling for the withdrawal of non-U.N. foreign personnel was struck out in a vote by division, obtaining only a simple majority of 40 to 36, with 23 abstentions. A two-thirds majority is required for endorsement of important political proposals.

The resolution also appointed a conciliation commission to be designated by the President of the Assembly, "to assist the Congolese leaders to achieve reconciliation and to end the political crisis."

A Soviet proposal that the Parliament meet within 21 days was rejected.

The U.N. delegates also studied the first detailed report so far issued about foreign mercenary activity in the Congo.

No Israeli Among Katanga Troops
The Foreign Ministry spokesman in Jerusalem yesterday denied the report from U.N. Headquarters in New York that one of the 30 White mercenaries seized by the U.N. in Katanga included an Israeli named Harry Sher.

The matter has been investigated and it is ascertained that there is no Israeli citizen of that name, the spokesman added.

According to Reuters yesterday, a report is under study by the U.N. in Katanga that the capture of a 30-man "international company" allegedly the "backbone" of a recent Katanga military offensive, when it landed at a U.N.-controlled airfield on April 7, at Evian-les-Bains.

Tajik Gov't Shuttle Over Cotton Fraud
MOSCOW (Reuters).—Dis honesty and anti-state practices among officials in the cotton-growing Republic of Tajikistan have led to a reshuffle in the government and Communist Party leadership, the Soviet Communist Party newspaper "Pravda" said yesterday.

The paper said that at a recent plenary meeting in Stalinabad of the Tajik Party Central Committee there was sharp condemnation of cheating and large-scale faking of cotton delivery figures.

The Committee unanimously elected Mr. J. Rasulov, a former Premier as First Secretary, and Mr. Kovals, Second Secretary. Mr. Kakhlov has been appointed Premier of the Republic.

De Gaulle Back As FLN Said Amenable

PARIS.—President de Gaulle returned here last night after a five-day tour of south-west France amid reports from Tunis, still not confirmed officially, that the "Algerian Provisional Government" is ready to fix a new date for peace talks.

In his final speech of his tour last night at Arcachon, oyster centre on the Atlantic coast, Gen. de Gaulle said Algeria would "set up its state and organize its country."

In Bordeaux yesterday, an ardent crowd snuffed out attempts by a handful of right-wingers to heckle President de Gaulle with shouts of "Algerie Française!"

The throng massed on the plaza in front of Bordeaux's City Hall reacted quickly and almost violently to the scattered shouting from opponents of Gen. de Gaulle's Algerian policies. The hecklers were physically attacked, and police had to intervene to rescue them.

While the hecklers were being escorted away for questioning, the throng erupted in a thunderous ovation for the President.

The incident occurred as Gen. de Gaulle rose to make another in the series of speeches he has been making on his five-day tour of south-western France. Contrary to expectations, he simply requested much of what he has been saying since the tour began.

Expected Announcement
Many persons had looked to his Bordeaux speech for a major new pronouncement on the possibility of peace talks with Algerian rebels.

Such peace negotiations were originally scheduled for April 7 at Evian-les-Bains but the insurgents backed out after insisting that France must recognise it as the main-spring of Algerian nationalism.

Waves of applause greeted the President as he outlined his aim of peace in Algeria "association between the future Algerian state and France. In the French view, this would mean economic and cultural links between the two countries and co-operation in defence.

There has still been no official rebel reaction to Gen. de Gaulle's return.

Portugal Airlifts Troops to Angola
LUANDA, Angola (Reuters).—Portugal yesterday flew in troop reinforcements and aims to deal with new and mounting terrorist attacks in northern Angola—several within the last 24 hours.

The biggest, according to the Portuguese news agency Lusitania, was near the village of Bombe where hundreds of heavily armed terrorists attacked a military patrol.

Five soldiers were injured before the attackers were beaten off with heavy casualties.

Rebels also suffered heavy casualties in a big mop-up operation by the Portuguese air force Saturday in the mountains of Canda, between San Salvador and Maquela de Zombo, northern Angola, the agency said.

Portuguese air force and civil planes are constantly arriving with troops and arms from Lisbon and more are expected soon by sea, alleviating somewhat the tension in the Angola capital.

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Eichmann Trial Procedure Based on Case Law

By DORIS LANKIN,

Jerusalem Post Legal Reporter

THE courtroom is half-empty. Journalists and newspaper correspondents who travelled thousands of miles to hear the Eichmann case are sitting in the press-room chattering, catching up on back correspondence or conscientiously writing background stories and prognostications. Some are heard to murmur that the Israelis have decided to best Eichmann to death instead of hanging him. Others complain that the Attorney-General is spoiling a great opportunity of catching the attention of the world.

This criticism is aimed at the unfrilled and meticulous manner in which Mr. Hausner has presented his long and comprehensive legal answer to Dr. Servatius preliminary arguments against the competence of an Israeli court to try Eichmann for crimes allegedly committed during the Nazi regime in Germany and occupied Europe.

The journalists' impatience is perfectly understandable from one point of view. After all, they came here expecting a shocking revelation of unspeakable atrocities and horrors. They came here to hear a fiery denunciation of the Nazi regime and all it stood for and also, perhaps, of the impassivity of the civilized world in the face of the unprecedented extermination of almost a whole people. And all they have had till now, except for the first dramatic hour when the Presiding Judge of the Court read out the indictment against Eichmann, has been a tedious course on the merits of Israeli jurisdiction and on the just, equitable and unexceptionable nature of the Nazi and Nazi Collaborators Punishment Law under which Eichmann is being tried.

For the Record

But while the journalists may be forgiven for resenting the lack of a sensational and exciting copy for their readers, who are generally interested only in the fireworks and dramatics of life, they do perhaps deserve some mild rebuke for not being able to see the matter in its broader and less ephemeral light. For in another day or two the trial itself will get under way and the boredom and tedium of the preliminary arguments will be forgotten in the ordinary, but more interesting, reader's mind. These arguments will, however, remain permanently in the records of the trial itself and also — or so the Attorney-General obviously hopes — in the records of legal and juristic history.

The Attorney-General is not addressing his arguments solely to the court, but to the world, and particularly to the world of jurists. To convince the Israeli court, except insofar as Eichmann's kidnapping was concerned — it would have been enough to resort to the simple and straightforward argument that the Nazis and Nazi Collaborators Punishment Law gave Israeli courts the right and competence to try Eichmann for the crimes he is accused of; that this law was enacted by the Knesset, the country's legislature, and that in accordance with the Israeli system of law Knesset enactments are sacrosanct and immutable unless repealed or changed by the will of the people, as expressed by the

Knesset itself. He may have argued that it is not within the province of the court to decide whether a law passed by the Knesset is just or not, and whether it conforms with the law of nature, or is repugnant to it. For it is the duty of the court to apply the law to the letter when that letter is clear and unambiguous as in the Nazi and Nazi Collaborators Law. He may also have argued that while the court is at perfect liberty to criticize and even disapprove of any law enacted by the Knesset, it has no power whatsoever to declare such a law unconstitutional, for example, to the power of the Supreme Court of the United States to invalidate a law.

But the Attorney-General declined to choose this easy path. He elected to show, at times in excessive length, that the law under which Eichmann is being tried is not only just and equitable, but that it is in no way against or repugnant to the laws of nature, justice, accepted and recognized by all civilized nations. He tried to show that not only is the law under which Eichmann is being tried a mere formal re-statement of long-accepted ethical and moral principles, but that it takes its example from such international legal pronouncements as the Nuremberg Charter upon which the trials of the Nazi leaders were based, and Control Council Law No. 10, upon which the trials of the Japanese leaders were based, and that it has its parallel in laws passed after World War Two in most of the enlightened countries of the world.

Right to Try Eichmann

The Attorney-General also set out to prove, to the court and to the world, that Israel's right to try Eichmann takes precedence over the right of any other country to do so and that, in fact, Israel is the only country which has taken any steps to give this right concrete and tangible form, since no other country has expressed any desire to take over the distasteful task of bringing Eichmann to justice.

No one denies that the Attorney-General's aims and motives are perfectly legitimate, particularly since all the responsible authorities have repeatedly reiterated their intention of not making a "show trial" out of this case. The criticism is levelled not at his aims, but at the means he has employed to realize them. Was the perplexing plethora of quotations from English and American precedents and from legal authorities really necessary? Did the Attorney-General's presentation really have to be so academic and sober, and so oblivious to the sensation-seeking instincts of the ordinary man?

The answer to these questions is mixed. On the positive side, it must be remembered that in any normal trial in an Israeli court, and the intention is to keep the Eichmann trial as normal as possible from the point of view of court procedure, it is customary and even imperative to back up legal arguments with precedents from local, English and, lately, American cases. Our attachment to the law arises from our close links with the English judicial system of law. This attachment has been given legal content by a provision in the

Courts Law of 1957 that makes all Supreme Court decisions absolutely binding on the courts of lower instance. Our allegiance to English precedents arises from the fact that our law, and particularly our criminal law, draws heavily from English sources, and also from the fact that we have an express judicial provision requiring us in the event of a lacuna in our law, to refer to the English common law and doctrines of equity which are to be found, for the most part, in English cases. Our recent addition to American precedents originates from the opinion of certain of our Supreme Court judges that the American courts give a more modern and streamlined interpretation of established principles of English law and are thus more in keeping with circumstances when a question of international law arises, to refer to decisions of international tribunals and courts, as well as to those of the courts of enlightened countries other than England and America.

Also on the positive side, it must be remembered that there are no juries in Israel. The absence of juries makes the trial a technical one, calculated to impress the layman — not only superficial but somewhat ridiculous. Since there are no juries, there is also no pressing need to make legal arguments as succinct and pithy as possible for fear of proving more so. The trial is a technical one, calculated to impress the layman — not only superficial but somewhat ridiculous.

On the negative side, it must be said that the Attorney-General has tended to exaggerate his responsibilities and leaned over backwards too far in his determination to keep the trial from being a "show trial." His arguments could have been just as impressive without the interpolation of an excessive number of precedents which sometimes tended to confuse the issue. He could at least have contented himself with referring the judges to precedents and authorities he intended quoting and leaving them to do the reading themselves — as they will do in any case.

This latter opinion is probably shared by Justice Landau, the presiding judge of the court, to judge from the fact that he did make a mild attempt, at one stage, to disengage the Attorney-General from quoting a passage which was full of his effort, however, met with the apparent disapproval of Judge Benjamin Halevi, he desisted from pursuing it, preferring a dignified withdrawal to affording the public the spectacle of disengagement between two of the judges.

Mr. Hausner's points could also have been just as telling insofar as the opinion of the jurists of the world is concerned, if they had not been quite so severely hammered and repeated. In consequence of this over-thoroughness and concentration on comprehensiveness, much of the force of his arguments was lost in the welter and ponderousness of his reasoning. It is very likely that he allowed himself to be unduly influenced by the legal enthusiasm and indefatigability of some of his youthful assistants and he would, perhaps, have done better to give freer rein to his own more mature and experienced judgment.

In conclusion, it cannot be sufficiently emphasized that if the Attorney-General's arguments are to reach the jurists of the world — and it is eminently desirable that they should — then he must not rely on the running translation of his presentation that is reflected in the English minutes of the proceedings issued at intervals to the press. It is to be hoped, therefore, that the arguments and the proceedings in general will be officially and properly translated before being distributed to the appropriate legal institutions.



All just when I am listening to the "Deadly Symphony"!

Readers' Letters

EICHMANN TRIAL

Editor, The Jerusalem Post

Sir, — In bringing Eichmann to trial one thing is certain, and that is that revenge is not the reason why Israel has acted; otherwise, it would have liquidated him as soon as he was taken.

The trial of Eichmann will not be circumscribed on jurisdictional grounds. The paramount question is not whether Eichmann was taken illegally from the jurisdiction of Argentina, or whether the charge, on which Eichmann is being tried, is based on an *ex post facto* law.

Why is it that the State of Israel alone has shown interest in bringing this confessed mass-murderer to judgment? When the evidence is in, it is relatively of little importance whether the judges hold the defendant technically not guilty, or guilty of murder. What is important is what the verdict of world conscience will be and what the verdict of the Federal

Republic of Germany. After the verdict in Israel, Eichmann should be delivered into the custody of Adenauer for retrial in West Germany. Our Allies should want to know if there is or is not condemnation of this man's crimes.

Yours etc.
HARRY A. BLACHMAN
Cleveland, Ohio, April 10.

BANK MANAGER

Editor, The Jerusalem Post

Sir, — There is at least one other woman in this country who occupies the position of Bank Branch Manager in addition to the one mentioned by Helga Dudman in her article of March 31.

I refer to Mrs. Shoshana Taube, who manages the Bank Hapoalim branch in Holon, at the corner of Sokolow and Krause Streets.

When the article was published, she was away on a business trip. I am sure she will be glad to hear what she has to say.

Yours etc.
H. WOLFFHEIM
Holon, April 11.

YESTERDAY'S PRESS

SPY'S ARREST

EXCEPT for Davar (Hatsadim), which dwells on the setting up of the new 122nd investment company for development schemes last week, Sunday's entire press deals with the arrest of Dr. Yisrael Beer.

Harets (non-party), to which Beer had contributed articles for the past five years, writes that the paper certainly had no cause to suspect him from the contents of his articles, and the fact that nobody in the defence establishment suspected him of treasonable activities proves that he successfully hoodwinked even his closest associates. Espionage is one of the calculated risks in a democracy take in running a single-party rule. If such activities as Beer's could take place in our highest defence echelons, it stands to reason that we should re-examine the effectiveness of our security establishment. Spies are dangerous, and perhaps the automatic assumption of anyone riding with Mafal is above suspicion is also dangerous.

Haboker (General Zionist) observes that this is the first time in the State of Israel that someone who is so deeply involved in security matters and so influential has fallen under suspicion of espionage and if public confidence and calm are to be restored, a non-party commission of enquiry including military and legal experts should be set up with sweeping authority to investigate the affair.

Hatzofe (National Religious) writes that there is no greater danger than selecting for high positions those whose qualifications is ability — without honesty or loyalty. A look at Beer's past should at least have alerted against putting him in such a high and responsible position. It appears that a party card overrode the dictates of personal integrity.

When we got there we were amazed by the housing mob that had invaded the place. There were whole families, with grunts supported by a couple of stakhoort sons, and the baby in a push-cart. Gangs of little boys, well dressed and screaming, occasionally pursued by hotel personnel. Grimy faces peered through the spaces in the functional white walls that divided the hall. Groups photographed each other up against the various ornaments. We thought we saw

one lot actually picking in a quiet corner, but that may have been just our imagination.

HERE and there pairs of quiet, well-dressed tourists sat on sofas watching Israel life go by as they drank large glasses of milk.

WE were talking with a tourist who was full of troubles. He was having with his miniature car. The two that impressed us most were that after the heavy rain of the past month there were such huge holes in the road that his car with its tiny wheels simply fell in, like in-

to a tank-trap, and he had a terrible time pulling it out again. The other was that whenever he parked in Tel Aviv people deposited objects on the conveniently low roof. Sometimes it was a newspaper, an empty pocket of cigarettes and a match-box, but more often orange peel, sticky paper off sweets, or worse. We remember telling him to be a little more careful about it and soon after that he found he had to go.

WE hadn't succeeded in getting anything to eat at Kasit either, because of the crowd and the waiter assuming we would be quite happy just to sit and not have to pay for coffee. We stopped for a moment at a place where they make sandwiches, and wanted to buy one. The sausage-slicing machine seemed a bit stiff, and when we saw the struggle the man had dragging the cut bit out with his fingers for the customer ahead of us we decided not to trouble him. This is simply a very hardy, pioneer nation in Tel Aviv and we decided it was about time to get home again.

EVERYBODY is a nationalist, after all. We asked one of the British newspapermen whether there would be much interest in England in our spy story. "Heavens, no," he said. "We've had bigger and better ones."

The Jewish Scene

Algerian Jewry Faces Uncertain Future

By Geoffrey Wigoder

THE uncertain future of Algeria is deeply disturbing to its Jewish community. Recent events in Morocco have come as an unpleasant reminder of the potential consequences of the removal of French influence. Hitherto, the 120,000-140,000 Jews of the country have shown remarkably little tendency to leave despite the pressing pleas that their future would be far more secure elsewhere. Those who have left or are thinking of doing so are generally moving to France where they enjoy full rights and citizenship.

Representatives of the provisional government have long postponed making definite statements on their attitude to the Jews but this has changed in recent weeks. The Washington representative of the provisional government has issued a statement saying, "The Algerian Jews are not colonial invaders. On the contrary they are among the earliest inhabitants of the country and, during the years of colonial rule have been subject — like the Arabs — to the disdain of European colonialists." He assured Algerian Jews that the provisional government regards them as Algerians by their history, their language and their traditions. "Algeria is their country and homeland as it is the homeland of the Moslem Algerians." He added that the Jews would have first- and second-class citizens. This declaration was warmly welcomed by Algerian Jewry but has received no endorsement from the government's headquarters in Tunis.

From Roman Times

THE history of Algerian Jewry goes back to Roman times, and some of the local Berber tribes apparently became converted to Judaism. New colonies were established by Jews from the period of the Arab rule in the 7th century onwards. Important infusions of blood resulted from the Spanish expulsions of 1391 and 1492 and this influx of Spanish Jewry left an indelible impression on the face of the community. Conditions were generally not too difficult under Turkish rule while the advent of the French in 1830 brought a new spirit to the community. The most important step forward was the Crémieux Decree of 1870. This was issued by the French government by its Jewish Minister of Justice Isaac-Adolphe Crémieux and conferred French citizenship on Algerian Jews. The Pétain government cancelled the decree in 1940 but General de Gaulle reinstated it shortly after taking over Algeria in 1943.

The Crémieux decree was looked upon by Algerian Jewry as their Magna Carta and they still tend to cling to it as the guarantee that, come what may, they will have at least the same rights as other French citizens. The current issue of the Algerian Jewish Committee's journal "Information Juive" contains a long analysis of the background of the decree. It shows, in the first place, that the Crémieux Decree was not a hasty or expedient decision made in the face of crisis. Nor did Crémieux's own religion have any bearing. In fact, it was not a decree in the usual meaning of the term but a legislative act passed by the 1870 French government of national defence; its significance includes Gambetta, Glais-Bizoun and Fourchon and the reason for its passage after Crémieux was because its execution came within the competency of his ministry. It was part of a series of decrees legislated at the time to provide for the reorganization of Algeria. Moreover it was the logical outcome of French policy in the region from the time of the conquest in 1840. The general lines were laid by Louis Philippe who was trying to establish a secular code based on the declaration of the Rights of Man and inevitably was at odds with a juridical structure based on religious dogma. The French Revolution had proclaimed that being a Jew was not a question of nationality but of religion, and the development of this principle led inexor-

ably to the 1870 decree. Napoleon III had been moving towards the granting of French citizenship to Algerian Jewry and his defeat in the Franco-Prussian war, at most, hastened the process.

Nor was the Crémieux decree merely a "privilege." It was endorsed by the Moslem community which solemnly declared, "all sensible persons appreciate it and approve of it." Citizenship carried obligations, including military service, and Algerian Jews automatically mobilized together with other French citizens on the face of the community. Conditions were generally not too difficult under Turkish rule while the advent of the French in 1830 brought a new spirit to the community. The most important step forward was the Crémieux Decree of 1870. This was issued by the French government by its Jewish Minister of Justice Isaac-Adolphe Crémieux and conferred French citizenship on Algerian Jews. The Pétain government cancelled the decree in 1940 but General de Gaulle reinstated it shortly after taking over Algeria in 1943.

The author of this article, Dr. Emil Touati, suggests that the decree is now only of historic interest, insofar as the Jews of Algeria today are French citizens not by virtue of the Crémieux decree but as a result of the 1945 Code of French Nationality. "They are French because they are the children of Frenchmen." Moreover, if the Crémieux decree had not been passed, a French law of 1919 would have resulted in the conferring of French nationality on the Jews of Algeria. In any case, in the absence of any criterion as to what is a Jew (a familiar problem), there is now no way of differentiating among the French citizens as to who is and who is not a Jew.

The Present Conflict

IN the same issue of the Algerian journal, a special article by Jacques Lazarus says that the Jews of Algeria cannot keep quiet in the present conflict and must speak out. Claiming to represent the vast majority of Algerian Jewry, he attacks the Pétain journal "El Moudjahid" which has accused the Jewish authorities of "suggesting to Algerian Jewry that they play no part in the struggle for national liberation; by this attitude, they have become the accomplices of colonialism."

Lazarus goes on to deal with the attitude of Algerian Jewry to the State of Israel. He comments that the attainment of independence by Arab states has often had unfortunate consequences for the Jews of that country but he refuses to despair and agrees with Dr. Goldmann that "in Arab-Jewish relations there's a will, there's a way." He says, "We have the same right to feel an attachment for Israel as members of other religions have for Rome or Mecca, and he adds, "Every citizen of this country must be guaranteed freedom of choice to determine his destiny." However he adds, "Whatever happens, Algerians of all ethnic origins will remain in this land — Jews as well as others." "We have never loved this country so intensely as we do today."

THE JERUSALEM POST

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